

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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Emilee Carpenter, LLC, d/b/a Emilee Carpenter  
Photography and Emilee Carpenter,

Plaintiffs,

Notice of Motion

-against-

Letitia James, in her official capacity as Attorney  
General of New York; Johnathan J. Smith, in his  
official capacity as Interim Commissioner of the  
New York State Division of Human Rights; and,  
Weeden Wetmore, in his official capacity as  
District Attorney of Chemung County,

Case NO. 6:21-cv-06303

Defendants.

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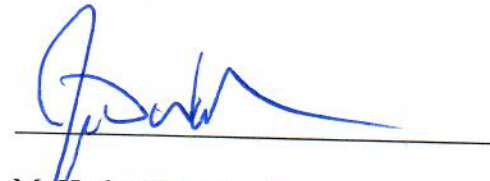
PLEASE TAKE NOTICE, that the undersigned, as attorney for Defendant, Weeden Wetmore, in his official capacity as District Attorney of Chemung County, will bring a motion seeking:

- A Dismissal of the complaint for failure to state a claim upon which relief can be granted [See: FRCP 12(b)(6), 12(h)(2)(B)] and /or;
- A Dismissal for lack of subject matter jurisdiction as to this defendant, because any dispute involving Weeden Wetmore is not ripe for adjudication [See: FRCP 12(b)(1)];
- Requesting the Court requests to strike all references in the pleadings with respect to Weeden Wetmore, if the dismissal motions are granted [See: FRCP 12(b)(f)];
- If the motions to dismiss are not granted, in the alternative, a request for a more definite statement or pleading [See: FRCP 12(b)(e)];
- Extending the time to answer, either within 14 days after the more definite statement is served or as otherwise ordered [See: FRCP 12(a)(4)]; and
- Seeking a denial of the request for a preliminary injunction as to Weeden Wetmore.

Said motions to occur before this Court on a date and time which will be provided by the Court later.

Dated: Elmira, New York

June 16, 2021



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